

Minutes of the TOCI Planning Board, Thursday January 17, 2013 at 7:15 at the Hall

Present: Chip Corson, Mabel Doughty, Jane Frizzell, Beth Howe (Chair) and Ron Tozier, CEO

Absent: Sam Birkett, Louise Doughty and Charles Hall

Also present: Mark Dyer, Jennifer Howard

Chip Corson was welcomed as a new member of the Board. Beth said we now have a full complement of members. She went through the terms: Ernie left close to the end of his term in 2012 and has been replaced by Chip. Beth and Mabel agreed to another three-year term this past August. Jane and Sam will come up in August 2013. Louise is completing Tad Runge's term which began in August 2011 and will end in August 2014. Charles also comes up in 2014.

While the group waited for other members, Ron reported on the status of things with Hope Island. A notice of violation was issued to them, covering seven violations with a fine of \$5,000. The violations were the clearest ones, so that there would be less possibility of litigation. A month ago he had gone to a meeting on Hope with the Town attorney, an attorney for the Cacoulides, the Cacoulides' engineer and himself. They walked around to look at all the violations. It was difficult for the Cacoulides' lawyer to say that they were not violations, and Ron and the engineer discussed what needed to be done.

Since then Ron had heard nothing from the Cacoulides. They originally were supposed to respond in two weeks, so now they are two weeks overdue. The newest deadline is Friday January 18. They have already asked to make an appeal to the Board of Appeals. If they do not respond, Ron will let a meeting. David Stevens, the Chair, will be away for six weeks, so the meeting cannot be until then. This would give some time for the Cacoulides to make a settlement offer, and if they did, it would be up to the Selectmen to respond to it.

1. Minutes of the Meeting of November 15, 2012

Jane moved, seconded by Beth to approve the minutes of the meeting of November 15. Approved unanimously.

2. Revision of the Site Plan Review sections of the Zoning Ordinance

Chip said he had read the comprehensive plan and wondered if the revision of the Zoning was intending to do what was discussed there – simplify regulations, make it easier for new small businesses to get set up, and for young people to move to the island.

Beth said that was the intent, though she had found with the site planning reviews that it was not so easy to simplify the procedure since a detailed look at the current requirements indicates that most of the information required of the applicant really is relevant to the review and Board members expect to have it. There may be other areas of the ordinance that can be simplified more or pared down.

Chip also asked whether something like site plan review would change a lot if the island went to having only one zone. Beth said that this part of the ordinance would not change much – that is why she started with it, to do the easy parts first before getting to possible bigger changes in the zoning.

Beth said that most of the discussion at the last meeting had been about different levels of review for projects of different sizes, and the break-points between the size categories. She thought there had been a consensus to have no minor staff review, to have minor site plan reviews by the Planning Board for projects up to 3,000 square feet, and major site plan review for projects larger than that. Most of the proposals on Chebeague are minor site plans, but the current dividing line is 5,000 square feet. Beth said that although this seemed to be the result from the previous meeting, she thought the Board should vote

(with some accompanying discussion) on these two issues, especially since a new member has joined the Board.

Ron said he thought 3,000 square feet might be low as the dividing line between major and minor projects. On Chebeague the most important issues may be water related – both stormwater and groundwater. Smaller projects don't remove as many trees or clear as much vegetation as larger ones do. We should also think not just about the square footage of the building but all the impervious surface that a project creates – gravel roads and parking areas, for example.

There was discussion of the dividing line. Beth said that she thought the critical difference between major and minor projects is whether the applicant can assemble the information required without hiring any consultants except someone to design the septic system and a surveyor for the boundaries. Once you get into major site plans there may have to be people hired for things like engineering, stormwater management, and for projects using a lot of water, groundwater impact analysis. She said she had made the requirements for major subdivision review somewhat simpler by eliminating the Site Inventory Analysis as a separate, initial step and folding the data requirements for it into the rest of the major site plan submission requirements.

There was a good deal of discussion about how much consultants cost, and what the applicants can practically do on their own; also about the size and complexity of various projects that have come before the Planning Board. There was agreement that the Board should discuss this some more and have a vote when all the members are present.

Then Beth went over the table of the site plan submission requirements, focusing on whether the subject, such as landscaping, for example, is required or optional, who gathers the data for the site plan, and why the information is important. Ron said that we should look at whether each piece of data is really necessary to understanding the effects of the development. We should not have requirements just "because we always have had x". This seems particularly important for major site plans. He also said that all the requirements for the minor site plan are the same as for a building permit. Beth asked if applicants had difficulty providing that information. He said generally not, though the presentation may not be as formal. Ron also suggested adding a requirement about sight distance from driveways.

There was a suggestion for adding language about the requirement for permits from state agencies like DEP.

Mark asked how much the fees for site planning review are. Ron said \$100 for any project. Mark asked whether this is enough to cover the cost of reviewing the applications. Beth and Ron explained what they do before an application reaches the Planning Board and guessed that \$100 would cover it, especially since one of them is a volunteer.

Mark also asked how having the Town hire outside consultants to review a proposal works, and how much does it cost. Beth said we have never done this, so she does not know much about the cost.

Beth went quickly through other proposed changes. Ron said that in addition to sending applications to the Fire Chief, they should be sent to the Town Administrator.

The next meeting will go over the criteria for deciding on site plan reviews.

Respectfully submitted,

Beth Howe